

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

ROSIE L. DAVIS, *et al.*

PLAINTIFFS

v.

Case No. 4:88-cv-4082

WILLIAM DALE FRANKS, *et al.*

DEFENDANTS

**ORDER**

On May 14, 2018, Hope School District (“Hope”) filed a Motion for Declaratory Judgment. (ECF No. 129). The motion, in part, asks the Court to declare that the Arkansas Public School Choice Act of 2015, as amended by Act 1066 of the Regular Session of 2017, violates the United States Constitution. On May 23, 2018, the Court entered an order certifying Hope’s constitutional challenge pursuant to Federal Rule of Civil Procedure 5.1(b) and 28 U.S.C. § 2403. (ECF No. 134).

The Court has been notified in a recent filing (ECF No. 131) that, as of May 18, 2018, Hope had not served notice of its constitutional challenge on the Arkansas Attorney General pursuant to Rule 5.1(a)(2). Accordingly, if Hope has not already done so, the Court hereby **DIRECTS** Hope to serve on the Arkansas Attorney General “notice of the constitutional question stating the question and identifying the paper that raises it.” Fed. R. Civ. P. 5.1(a)(1). This service must be via certified or registered mail, or sent to an electronic address designated by the Arkansas Attorney General for this purpose. *See* Fed. R. Civ. P. 5.1(a)(2). The Court directs Hope to serve notice on the Arkansas Attorney General **within ten (10) days** of the date of entry of this Order.

**IT IS SO ORDERED**, this 23rd day of May, 2018.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge